

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: <i>Hsuan</i>)
)
US PATENT NO. 7,030,466)
ISSUED: April 18, 2006)
)
Serial No.: 10/634,404)
Filed: August 5, 2003)
)
For: <i>Intermediate Structure for Making</i>)
<i>Integrated Circuit Device & Wafer</i>)

REQUEST FOR ACCEPTANCE OF FEE DEFICIENCY

OFFICE OF PETITIONS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

On March 25 2010 the Petitions Office denied a request by the Patent Owner to rectify some incorrect payments made in connection with the above case. The Office dismissed the request (which it classified as a "request for acceptance of a fee deficiency") on the basis that the papers as filed were not signed by a competent person. To rectify this issue, the petition is submitted again by the undersigned, who is the registered attorney of record for the case and thus qualified under 37 C.F.R. 1.33(b) to present the petition.

As the petition points out, the Patent Owner determined that certain fees had been inadvertently debited based on a small entity status, instead of the correct status as a large entity. These included:

1. Filing Fee

Fee erroneously paid as small entity: Basic filing fee and 1 claim in excess of 20 (\$375 + \$9 = \$384). This small entity fee was paid on August 5, 2003 and charged to Law+ account 233-264 (refer to appendix 1 of original petition)

Current fee amount for large entity: Basic filing fee and 1 claim in excess of 20 ($\$850 + \$52 = \$902$).

Deficiency owed amount: $\$518$ ($\$902 - \384).

2. 3.5 Year Maintenance Fee

Fee erroneously paid as small entity: 3.5 year maintenance fee ($\$490$) was paid on October 13, 2009 and charged to UMC account 50-4830 (refer to appendix 2 or original petition).

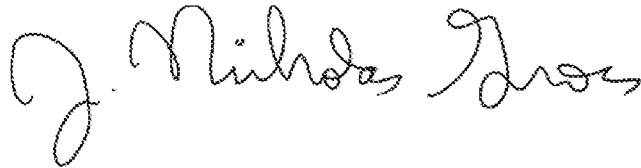
Current fee amount for large entity: 3.5 year maintenance fee and surcharge fee ($\$980 + \$130 = \$1110$).

Deficiency owed amount: $\$620$ ($\$1110 - \490)

Total deficiency: $\$1138$ ($\$518 + \620)

Please withdraw the resulting fee difference of $\$1138$ (and any associated petition fees) from Deposit Account Number 501- 244 to correct this error. Should there be any questions about this request, please feel free to contact the undersigned at the number identified below.

Respectfully submitted,

A handwritten signature in cursive script, reading "J. Nicholas Gross".

J. Nicholas Gross, Attorney, Reg. No. 34, 175

April 23, 2010
2030 Addison Street
Suite 610
Berkeley, CA 94704
Tel. (510) 540 - 6300
Fax: (510) 540 - 6315